

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MONTANA
Petition for Warrant for Offender Under Supervision

Name of Offender: Christopher Louis Bending

Docket Number: 0977 9:18CR00004-001

Name of Sentencing Judicial Officer: THE HONORABLE DANA L. CHRISTENSEN
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 10/19/2018

Original Offense: 21:841C=CD.F; CONTROLLED SUBSTANCE - SELL - DISTRIBUTE - OR
DISPENSE, 21:844A=CP.M; CONTROLLED SUBSTANCE - POSSESSION

Original Sentence: 214 Days custody, 36 months supervised release

Date of Revocation: January 31, 2020

Revocation Sentence: 4 months Bureau of Prisons; 32 months Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 05/14/2020

Assistant U.S. Attorney: Tara Elliot
PO Box 8329, Missoula, MT 59807, (406) 542-8851

Defense Attorney: Andy Nelson
Federal Defenders Office, 125 Bank St, Suite 710, Missoula, MT 59802, (406) 721-6749

PETITIONING THE COURT

Background

On 10/19/2018, the defendant appeared for sentencing before THE HONORABLE DANA L. CHRISTENSEN, UNITED STATES DISTRICT JUDGE, having been found guilty by jury trial of the offenses of 21:841C=CD.F; CONTROLLED SUBSTANCE - SELL - DISTRIBUTE - OR DISPENSE, 21:844A=CP.M; CONTROLLED SUBSTANCE - POSSESSION. The offense involved the defendant selling methamphetamine in Flathead County. The defendant was sentenced to 214 days custody, followed by 36 months supervised release. The defendant began the original term of supervised release on 10/19/2018.

On 10/19/2018, the defendant entered Alternatives, the Residential Re-Entry Center in Billings, Montana. He discharged from the facility on 12/18/2018, completing all required group and individual treatment sessions. His supervision was revoked on 1/31/2020, due to methamphetamine use, criminal associations, and providing dilute urinalysis samples. The defendant was sentenced to 4 months custody, followed by 32 months of supervised release. The defendant began his current term of supervision on 5/14/2020.

On 12/9/2020, A Report on Offender Under Supervision was filed due to the use of methamphetamine. The defendant was enrolled in substance abuse treatment with Gateway Recovery Systems, random drug testing with Compliance Monitoring Systems, and attending

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Flathead Valley Community College. The undersigned officer requested to continue supervision and the Court agreed.

On 1/19/2021, A Report on Offender Under Supervision was filed due to the use of methamphetamine. The defendant was attending substance abuse treatment with Gateway Recovery Systems, random drug testing with Compliance Monitoring Systems, and attending Flathead Valley Community College. The undersigned officer requested to continue supervision and the Court agreed.

On 2/22/2021, A Report on Offender Under Supervision was filed due to the use of methamphetamine. The defendant continued substance abuse treatment with Gateway Recovery Systems, random drug testing with Compliance Monitoring Systems, and attending Flathead Valley Community College. The defendant was going to work with his treatment provider and switch into intensive outpatient treatment. The undersigned officer requested to continue supervision and the Court agreed.

The probation officer believes the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Mandatory condition: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

On 11/20/2020, the defendant provided a positive methamphetamine test with Compliance Monitoring Systems. The sample returned positive for methamphetamine from Abbott Toxicology on 12/1/2020. The defendant admitted to consuming methamphetamine over a two-day period.

On 12/15/2020, a sweat patch was placed on the defendant by Compliance Monitoring Systems and returned positive for methamphetamine on 1/7/2021. The defendant admitted to consuming methamphetamine on or about 12/9/2020.

On 2/9/2021, the defendant provided a positive methamphetamine test with Compliance Monitoring Systems. The sample returned positive for methamphetamine from Abbott Toxicology on 2/16/2021. The defendant admitted to consuming methamphetamine for several days starting on or about 2/2/2021.

On 3/2/2021, the defendant admitted to consuming methamphetamine on or about 2/18/2021.

On 3/23/2021, a sweat patch was placed on the defendant by Compliance Monitoring Systems and returned positive for methamphetamine on 4/3/2021. The defendant believes he consumed methamphetamine in the beginning March.

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2 **Special condition:** You must participate in substance abuse testing to include not more than 365 urinalysis tests, not more than 365 breathalyzer tests, and not more than 36 sweat patch applications annually during the period of supervision. You must pay part or all of the costs of testing as directed by the probation officer.

On 11/27/2020, 2/25/2021, and 2/26/2021 the defendant provided a dilute urinalysis sample with Compliance Monitoring Systems.

AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

Reviewed

Respectfully Submitted

By: Derek Hart
Derek Hart
Supervising United States Probation
Officer
Date: 04/16/2021

By: Evin Hansen
Evin Hansen
United States Probation Officer
Date: 04/16/2021

ORDER OF COURT

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 19th day of April, 2021, and ordered filed **UNDER SEAL** and made a part of the records in the above case.

IT IS FURTHER ORDERED that upon notification to the Clerk of Court's Office that the above named Defendant has been taken into custody, the Petition for Warrant or Summons for Offender Under Supervision shall be unsealed.

Dana L. Christensen
Dana L. Christensen

United States District Judge

4/19/21

Date